

SENATE BILL No. 207

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-3-7.

Synopsis: Personal property tax returns. Provides that a taxpayer is entitled to an extension of not more than 90 days to file a property tax return if: (1) the taxpayer submits a written application for an extension prior to the filing date; and (2) the taxpayer is prevented from filing a timely return because of sickness, absence from the county, or any other good and sufficient reason. (Current law gives local assessors the discretion to grant 30 day extensions under the same circumstances.)

Effective: Upon passage.

Randolph

January 7, 2009, read first time and referred to Committee on Tax and Fiscal Policy.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

SENATE BILL No. 207

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-3-7, AS AMENDED BY P.L.146-2008,
2 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 7. (a) Except as provided in subsections (b)
4 and (d), a taxpayer shall, on or before the filing date of each year, file
5 a personal property return with:

6 (1) the assessor of each township in which the taxpayer's personal
7 property is subject to assessment; or

8 (2) the county assessor if there is no township assessor for a
9 township in which the taxpayer's personal property is subject to
10 assessment.

11 (b) ~~The township assessor or county assessor may grant~~ A taxpayer
12 **is entitled to** an extension of not more than ~~thirty (30)~~ **ninety (90)** days
13 to file the taxpayer's return if:

14 (1) the taxpayer submits a written application for an extension
15 prior to the filing date; and

16 (2) the taxpayer is prevented from filing a timely return because
17 of sickness, absence from the county, or any other good and



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1 sufficient reason.

2 (c) If the sum of the assessed values reported by a taxpayer on the
3 business personal property returns which the taxpayer files with the
4 township assessor or county assessor for a year exceeds one hundred
5 fifty thousand dollars (\$150,000), the taxpayer shall file each of the
6 returns in duplicate.

7 (d) If:

8 (1) a taxpayer has personal property subject to assessment in more
9 than one (1) township in a county; and

10 (2) the total assessed value of the personal property in the county
11 is less than one million five hundred thousand dollars
12 (\$1,500,000);

13 the taxpayer filing a return shall file a single return with the county
14 assessor and attach a schedule listing, by township, all the taxpayer's
15 personal property and the property's assessed value. The taxpayer shall
16 provide the county assessor with the information necessary for the
17 county assessor to allocate the assessed value of the taxpayer's personal
18 property among the townships listed on the return, including the street
19 address, the township, and the location of the property.

20 (e) The county assessor shall provide to each affected township
21 assessor (if any) in the county all information filed by a taxpayer under
22 subsection (d) that affects the township.

23 (f) The county assessor may refuse to accept a personal property tax
24 return that does not comply with subsection (d). For purposes of
25 IC 6-1.1-37-7, a return to which subsection (d) applies is filed on the
26 date it is filed with the county assessor with the schedule required by
27 subsection (d) attached.

28 **SECTION 2. An emergency is declared for this act.**

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